

# **RENO POLICE DEPARTMENT**

## **Internal Affairs Division**



Annual Report  
2008

*Your Police,  
Our Community*

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**I. Introduction**

The Reno Police Department recognizes the following foundational values as their guidelines for conducting business:

**RESPECT**

Treating everyone with dignity, empathy and fairness

**INTEGRITY**

Service that demonstrates honesty, professionalism  
and dedication in all actions

**FAIRNESS**

Consistent, ethical and impartial treatment of everyone

**SERVICE**

Proactively respond to the changing needs of the community  
and department through open communication,  
accountability and professionalism

In support of these values, the men and women of the Reno Police Department have adopted a Mission Statement as a means of focus and commitment to our community.

**Reno Police Department Mission Statement**

We are committed to partner with our Community to create a safe city  
by providing the highest level of police services.

These Values and the Department's mission statement are designed to support and foster the vision that has been set forth for our organization by Chief Michael Poehlman. **That vision is:**

The Reno Police Department will be totally integrated into the community and viewed as a model of policing excellence

One component of our Police Department's success is the support that has been garnered through community interaction and a transparency in departmental operations. One of the mechanisms modern police agencies institute to provide the requisite transparency, for city government and to the public it serves, is a committed Internal Affairs Division. In keeping with departmental values, the sworn and civilian staff assigned to the Reno Police Department's **Internal Affairs Division has adopted the following mission statement:**

The Internal Affairs Bureau will preserve the public's trust and confidence in the Reno Police Department by conducting thorough and impartial investigations of alleged employee misconduct, by providing proactive measures to prevent such misconduct, and by always maintaining the highest standards of fairness and respect towards citizens and employees.

Police Officers are expected to diagnose situations that they encounter within a few short moments and take the most appropriate course of action. Most encounters with citizens result in positive experiences. In a limited number of situations, officers use their authority inappropriately. In other situations, citizens may believe that police officers have exceeded their authority or have simply not treated them properly.

The Reno police department has established a performance system of accountability to be responsive to the community, as well as to our personnel, who believe that members of our organization may have performed in a less than professional manner. The Internal Affairs Division reports directly to the Chief of Police. This division consists of a Deputy Chief, one Lieutenant, two Detective Sergeants, and one clerical support secretary. Under the direction of the Chief of Police, the division has the responsibility to conduct investigations into complaints of employee misconduct from both inside and outside the department. This includes police officers and professional personnel. The division also has the responsibility

for monitoring investigations of alleged employee misconduct that are being conducted by an employee's supervisor.

The Lieutenant assigned to the Internal Affairs Division also manages the Department's Training Division which allows for quick intervention should the need for training or policy changes be identified during the course of an investigation.

## **II. Annual Report – Purpose**

This is the forth Annual Report produced by the Reno Police Department Internal Affairs Division. It has been created to serve many purposes, a number of which are outlined below:

- (1) **Accountability for misconduct**  
This report outlines information about citizen complaints received during calendar year 2008. Included in the report are complete statistics on the classification of formal complaints, a breakdown of the allegations made and the disposition of complaints. Similar information is included for those complaints which were initiated internally by the Department regarding possible misconduct by employees.
- (2) **Keeping a record**  
This report contains information covering a five year period from 2004 through 2008 to provide a basis of comparison. It allows a historical view over a period of time and helps to identify trends which may be present, involving both specific officers and/or types of misconduct. Keeping an ongoing record provides a more timely opportunity to recognize disciplinary issues that may impact the Department and the Community.
- (3) **Identifying patterns related to policy, training or supervision**  
Not all complaints stem from misconduct by police officers, rather they may stem from acts driven by policy, training or the supervision of the officers. An annual, and historical, review of not only citizen and internal complaints, but also use of force incidents, traffic accidents and vehicle pursuits, allows the Department and City officials to evaluate their service delivery systems and methods.
- (4) **Early Intervention**  
Traditionally, Departments have been mainly reactive, investigating complaints of misconduct by employees filed by members of the public. Accurately tracking the activities of employees allows for a method to potentially identify situations that are likely to cause problems before they actually do. The idea is to anticipate situations which may create future complaints and to eliminate the potential causes before they occur.

(5) **Building trust**

Many people are unaware of the responsibilities and actions of the Internal Affairs Division. Officer misconduct is often visible in the media or related in conversations with those who may have filed a complaint. Little is known about the resulting internal investigation regarding the officer's actions. An Annual Report provides some transparency to the process and helps to overcome community suspicion by providing information regarding the complaint process, types of complaints received and their ultimate outcomes.

(6) **Providing a different perspective**

Finally, the Annual Report shares information about the investigative process and certain guidelines that must be followed in every investigation. It also provides information about the process that the Department may use to evaluate sustained cases, to include identifying training needs or discipline recommendations.

### **III. The Complaint Process**

#### **Making a Complaint**

Complaints against employees of the Department can be made in several ways. All employees of the Police Department have the responsibility for receiving a complaint so the process can be initiated any time a citizen chooses. A complaint may be lodged against the Department or any employee, in person, by the telephone, by e-mail or by standard mail using the information provided in Appendix A. When complaints are initiated outside the normal business hours of Monday through Friday, 8:00 a.m. to 5:00 p.m., the information will usually be taken by an on-duty supervisor and referred to the Watch Commander. The Watch Commander may direct a supervisor to investigate or refer the complaint to Internal Affairs.

Complaints will be accepted from any person regardless of race, color, religion, age or standing in a criminal case. A complaint may be anonymous but must allege definite improper action, give sufficient particulars to make an investigation feasible, and must be reviewed by the Chief of Police/designee for determination as to the extent of the investigation.

All employees within the department have access to the Language Bank to allow translation services for those people with limited English speaking proficiency who wish to file a complaint.

**Types of Complaints**

**Formal** – A formal complaint generally involves a written, signed Personnel Complaint Form and/or a taped statement of the allegation. A verbal statement, even though not taped, may constitute grounds for a formal investigation.

**Informal** – An informal complaint, verbal or written, is an allegation of minor misconduct, being made for informational purposes that can normally be resolved at the time the complaint is made.

**Administrative-Directed Investigations** – Administratively directed investigations are complaints initiated within the police department by an employee against another employee, most often by a supervisor regarding the actions of a subordinate.

**Investigative Process**

A determination as to who will investigate a citizen complaint is made based upon which of the following categories they fall within:

**Category I** - Category I complaint investigations will generally require investigation by the Internal Affairs Division:

- a. Criminal Conduct/Code of Conduct
- b. Discrimination
- c. Dishonesty
- d. Excessive Force
- e. False Arrest
- f. Improper Tactics
- g. Racial/ethnic slurs
- h. Firearms and Shooting Policy
- i. Improper Search and/or Entry
- j. Sexual Harassment

The Chief of Police will have the discretion to assign any complaint as a Category I investigation.

**Category II** - Category II complaints will generally be investigated by the involved employee's immediate supervisor. Complaints/Investigations falling into this category will be referred by Internal Affairs, with the approval of the Chief of Police, to the appropriate Division Commander. Assignment of the investigating supervisor will be determined by the Division Commander:

- a. Discourtesy
- b. Improper Procedure

## c. Performance of Duty

**Category III** -Category III complaints generally involve cases where a citizen is requesting a policy or procedure clarification. The Chief of Police will direct the complaint to the involved employee's Division Commander or the Internal Affairs Unit.

All formal disciplinary investigations must follow guidelines established by state laws and Department policy. The Nevada Revised Statutes, Section 289, Rights of Peace Officers, is the State statute that dictates how Internal Affairs Investigations are conducted. These investigations are considered confidential until the investigation is completed. See Appendix B for a copy of the State statutes.

When a complaint is investigated by Internal Affairs, the following procedures are followed:

- ▶ The Internal Affairs investigator contacts the complainant and arranges an appointment for an interview. Generally, the interview is conducted at the Internal Affairs Division office. However, at times, interviews can be conducted at a complainant's home or business. Interviews are also conducted at the County Jail; therefore, mere incarceration does not preclude a citizen's complaint from being heard.
- ▶ A detailed statement is taken from the complainant. This statement is most often tape-recorded to create a permanent and accurate depiction of the conversation.
- ▶ The same procedure is used for all witnesses and officers involved in the case. It is preferred that all statements are tape-recorded, transcribed, and assembled in a case file for later review.
- ▶ Upon completion of all interviews and a review of any possible evidence, the Internal Affairs investigator writes a report wherein he/she comes to an investigative conclusion based upon the information presented. Each complaint will receive one of six possible findings:

**Unfounded** – When the investigation indicates that the alleged acts did not occur.

**Exonerated** – When the investigation indicates that the act occurred, but it was lawful, proper, justified and/or in accordance with departmental policies, procedures, rules and regulations.

**Not Sustained** – When the investigation discloses that there is insufficient evidence to prove or disprove the allegations made.



**Sustained** – When the investigation discloses by a preponderance of evidence that the act did occur and was in violation of departmental policies, procedures, rules or regulations. Sustained allegations include misconduct which falls within the broad outlines of the original allegations(s).

**Misconduct not based on the complaint** – When the investigation discloses sustainable misconduct that was not part of the original complaint.

**Closed** – When the investigation cannot be processed further due to the lack of cooperation by the complainant, or when the Chief of Police/designee determines that the action in the complaint does not fall within the administrative jurisdiction of the department. A closed investigation may be re-opened upon direction of the Chief of Police/designee.

Barring reasonable investigative delays, Internal Affairs investigations will generally be concluded within 90 days of the original complaint.

### **Disciplinary Review Board**

The Reno Police Department utilizes a Disciplinary Review Board in recommending the level of discipline for individual cases involving police officers. The Disciplinary Review Board's primary purpose is to ensure consistency and fairness in the personnel investigation process and application of discipline. The Board formally reviews personnel investigations completed by Internal Affairs or staff within divisions. Based on these reviews the Board can direct further investigative action if necessary, may change the investigative conclusion made by the initial investigator, and/or may provide a recommended level of discipline for sustained allegations of inappropriate conduct.

The Disciplinary Review Board is comprised of five members consisting of a Deputy Chief of Police, a Lieutenant, a Sergeant and two Officers. It is the policy of the Reno Police Department to impose discipline following a series of progressive steps; however, there may be instances where deviation from that policy is warranted. Types of disciplinary action may include:

**Documented Oral Counseling** - Documented Oral Counseling is the first step in the progressive disciplinary process and is intended to address relatively minor infractions.

**Written Reprimand** - A Written Reprimand is a formal written notice regarding significant misconduct, specific inadequate performance or repeated offenses. It is the second step in the progressive disciplinary process and is intended to provide the employee with a written record outlining specific corrective action that must be taken to avoid subsequent serious disciplinary action.

**Suspension** - Suspension relieves an employee from duty for a specified period of time without pay. This is a severe disciplinary action administered by the department when an employee commits a serious violation of established rules or after written reprimands have been given and no change in performance has resulted. It is normally the third step in the progressive discipline process.

**Demotion** - Demotion is placing an employee in a position of lower responsibility and pay. It will normally be used only when an otherwise good employee is unable to meet the standards required for a higher position.

**Termination** - Termination is the most severe disciplinary action that can be taken. Such disciplinary action usually occurs when previous discipline has been imposed and there has been no or inadequate change in performance or behavior. It also may occur when the employee commits an offense so serious that continued employment is inappropriate.

### **Chief of Police Review**

The Disciplinary Review Board will forward completed investigations and disciplinary recommendations to the Chief of Police for his approval. The Chief of Police will consider Board discipline recommendations; however, the Chief of Police has the final authority to determine the level of discipline.

## **IV. Use of Force Reporting**

The Reno Police Department provides training for all members in the many varied methods of force that could be utilized when effecting an arrest or defending oneself or another. Use of force may range from a simple takedown maneuver to the discharge of a firearm. Department policy states that:

### ***Use of Deadly Force***

1. *Law enforcement officers are authorized to use deadly force to:*
  - a. *Protect the officer or others from what is reasonably believed to be a threat of death or serious bodily harm; and/or*
  - b. *To prevent the escape of a fleeing violent felon who the officer has probable cause to believe poses a serious threat of death or serious injury to the officer or others; and/or*
  - c. *To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured, when the officer reasonably believes that deadly force can be used without harm to the officer or others.*

### ***Deadly Force Restrictions***

1. *Discharging a firearm to provide a "warning shot" is generally prohibited and may only be used under the most extreme circumstances.*

2. *Discharging a firearm at or from a moving vehicle is generally prohibited and may only be used under the most extreme circumstances.*

**Use of Non-Deadly Force**

1. *Where deadly force is not authorized, officers may use only that level of force that is objectively reasonable to bring an incident under control.*
2. *Officers are authorized to use department approved, non-deadly force techniques and issued equipment to:*
  - a. *Protect the officer or others from physical harm; and/or*
  - b. *Restrain or subdue a resistant individual; and/or*
  - c. *Bring an unlawful situation safely and effectively under control.*

**Use of Other Weapons and Techniques**

*Use of weapons and techniques other than those issued and approved by the department are governed by this use of force policy and must be objectively reasonable.*

**Reporting**

*A written use of force report is required following:*

1. *Any use of physical force other than light touch and physical controls (unless there are visible or claimed injuries), as specified by department approved training.*
2. *Any use of Impact Force, Chemical Force, Electronic Force, or Firearms Force.*
3. *Any use of force that results in an apparent or claimed injury.*

Use of Force reports are completed by the involved officer's immediate supervisor and are forwarded up the chain of command for review. The Internal Affairs Division is the central gathering point for all Use of Force reports. This allows an ongoing review of each report to determine if the use of force was within departmental policy and/or if there are any training needs that have been identified. A use of force incident that appears to fall outside of departmental policy may result in an Administratively Directed Investigation to be conducted by the Internal Affairs Division.

## **V. Pursuits/Traffic Crashes**

The Reno Police Department is aware of the dangers of police vehicle pursuits. We are constantly evaluating our procedures and every pursuit is investigated and/or reviewed through the chain of command to ensure that it falls within departmental policy. Under departmental policy, officers may pursue a suspect when they reasonably believe the suspect has committed a felony or poses an immediate threat to human life. Unless exigent circumstances exist, officers will normally not pursue a suspect who has committed a misdemeanor. Officers must articulate justifiable cause necessitating immediate apprehension of the suspect when pursuing for any offense. Officers must also take into consideration

numerous factors before beginning a pursuit; i.e., pedestrian traffic, time of day, traffic conditions, weather conditions, and if the identity of the subject who is being pursued is known. All information known at the time the pursuit is engaged in is included in a pursuit report.

Again, the Internal Affairs Division is the central gathering point for all Pursuit Reports.

In addition to pursuits involving police vehicles, the department investigates every traffic collision involving a police vehicle, to include those where the police vehicle was unoccupied at the time of the crash. Even though officers have some unique driving privileges afforded by law, they are still required to drive with due care. Each traffic crash is reviewed to determine if the crash was avoidable and if the officer was at fault. If so, the officers are subject to disciplinary measures and their case/crash will be submitted to the Disciplinary Review Board. A thorough review of all traffic crashes allows the early identification of driving trends or training needs with the ultimate goal in mind of reducing traffic crashes.

## **VI. Personnel Early Intervention System**

The Reno Police Department utilizes a Personnel Early Intervention System (EIS) to provide for the timely, systematic review of significant events involving agency employees; and to enable the agency to exercise its responsibility to evaluate, identify, and assist employees who exhibit signs of performance and/or conduct related problems.

Early Intervention Systems began to emerge in the late 1970s as a crisis management response to public concern over police abuse of force. In 1981, based upon hearings regarding three (3) major cities, the United States Commission on Civil Rights recommended that all departments establish similar systems and in the late 1990s, Early Intervention Systems emerged as a “Best Practice” with regard to police accountability. Since 1997, Early Intervention Systems have been included in consent decrees and memoranda of understanding settling law suits brought by the Civil Rights Division of the United States Justice Department under the “pattern or practice” clause of the 1994 Violent Crime Control Act.

A comprehensive Early Intervention System is intended to assist police supervisors and managers in identifying officers and other employees whose performance warrants review and, where appropriate, intervention in circumstances that may have negative consequences for the employee, fellow employee, the agency, and/or the general public. The Reno Police Department has taken the initial concept of the Early Intervention System and has expanded its use and role to include each of the following:

- To identify an officer having personal problems
- To identify a problem officer
- To identify training issues
- To identify policy concerns
- To assess Departmental performance
- To identify inadequate supervision
- As a Risk Management tool

The Internal Affairs Division serves as the coordinator of the Personnel Early Intervention System and is responsible for maintaining a system for collecting, tracking, and reporting on certain target data for each agency employee. Currently the following criteria are considered risk indicators and will be reviewed on an ongoing basis in order to identify employees with potentially problematic behaviors who are in need of intervention efforts:

- a. Use of Force Reports
- b. Departmental Motor Vehicle Accidents
- c. Negative Performance Evaluations
- d. Administratively Directed Investigations (Internal)
- e. Citizen Complaints
- f. Civil Suits

The following initial thresholds have been established by the Department as requiring EIS notice to the relevant supervisors of an employee who has been the subject of or involved as a principal participant in:

- a. Two or more citizen complaints in a twelve month period; or
- b. Three or more Administratively Directed Investigations in a twelve month period; or
- c. Three or more use of force incidents in a twelve month period; or
- d. Two or more pursuits in a twelve month period; or
- e. Three or more vehicle collisions in a twelve month period; or
- f. Six or more total targeted incidents in a twelve month period.

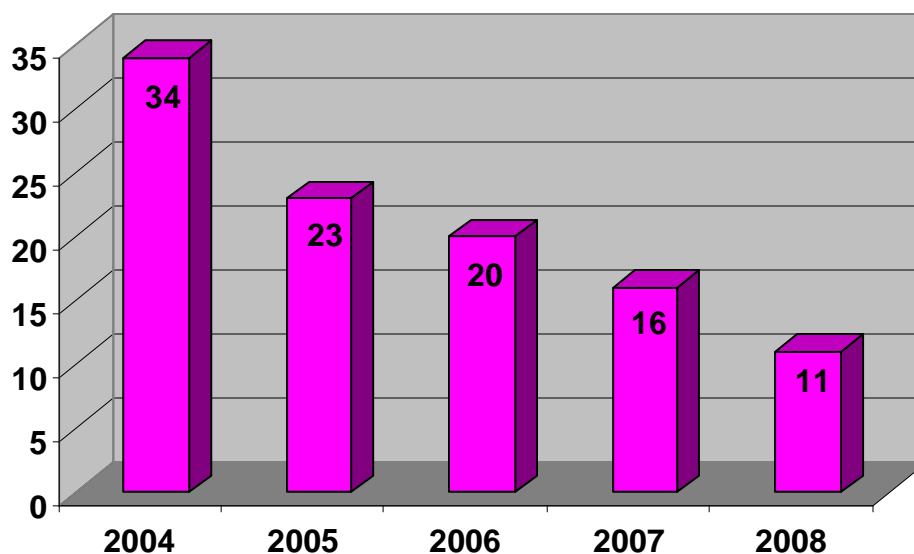
Upon an employee reaching one of the above preset levels, an alert notice is generated which in turn is sent to the employee's direct supervisor. EIS notices require that the employee's immediate supervisor and Division Commander meet to conduct a preliminary review of the EIS data, as well as other recent employee performance related information. Based on this preliminary review, the Division Commander will submit a timely report to Internal Affairs articulating whether a formal review is recommended.

If a formal review is recommended, such review will include a meeting with the affected employee in an attempt to determine if any formal intervention procedures are necessary. Any subsequent courses of action will be determined and

established by the Division Commander with input from identified employees and their supervisory chain of command. The formal intervention process is non-disciplinary in nature.

## VII. Citizen Complaint Overview – 2008

Citizen Complaints 2004-2008				
2004	2005	2006	2007	2008
34	23	20	16	11



Citizen initiated complaints are reviewed by the Internal Affairs Division. The cases are either investigated by the Internal Affairs Division or assigned for investigation by the employee's immediate supervisor at the division level. In 2008, citizens initiated 11 formal complaints, compared to 16 formal complaints in 2007, for a decrease of 32%.

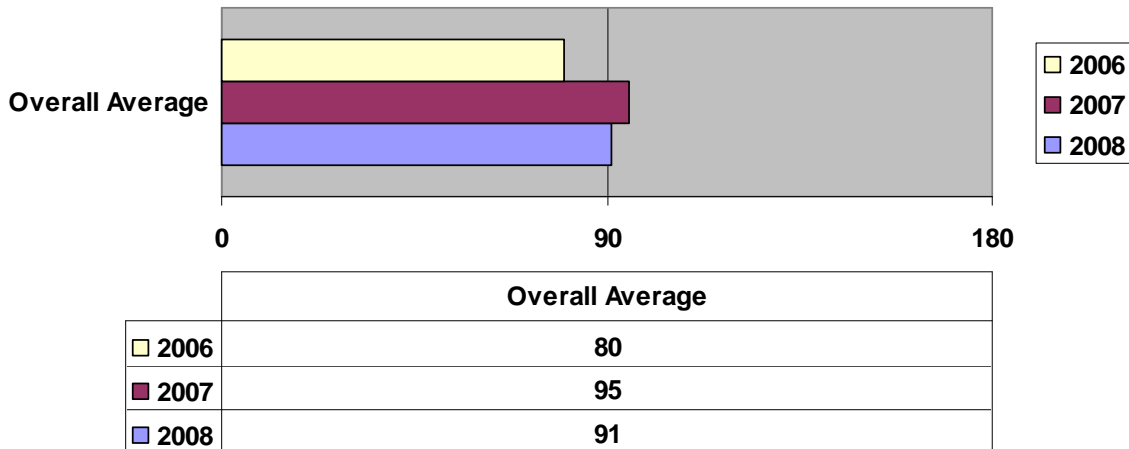
In 2005 RPD provided training to its first line supervisors related to problem identification and problem resolution. Collateral to that was the authority to deal with issues they identified. Under current policy, supervisors are allowed, with the agreement of the complainant and the involved employee, to have the discretion

and authority to informally resolve Category II and Category III complaints. When a complaint is resolved in this manner, the employee shall be advised of the complaint by the assigned supervisor and, if necessary, counseled or instructed to prevent future problems. This may account for a certain amount of the decrease in formal complaints.

<b>Formal Citizen Complaint Details - 2008</b>				
<b>#</b>	<b>Allegations</b>	<b>Officers</b>	<b># Days</b>	<b>Findings</b>
1	An officer used vulgar and derogatory language while on a traffic stop.	1	54	Sustained
2	An officer was making harassing phone calls to a co-worker which violated an EPO.	1		Closed - Resigned
3	An officer neglected to respond while assigned to a call for service and/or in the vicinity of high priority calls.	1		Closed - Resigned
4	An officer allegedly struck a citizen's vehicle and fled.	1	237*	Unfounded
5	An officer exchanged inappropriate communications with the cousin of a homicide suspect which may have jeopardized the investigation and/or prosecution.	1	103	Sustained
6	An officer stopped motorists for traffic violations and asked them to attend a network marketing orientation.	1	101	Sustained
7	An officer was allegedly rude to a citizen that walked by.	1	98	Handled by Division
8	Officers arrested a boy without probable cause for destruction of property.	3	55	Sustained Sustained Exonerated
9	An officer may have placed himself on duty and acted in an official capacity outside of department policy when dealing with a juvenile problem while off duty at his residence.	1	57	Sustained
10	An officer intervened in a domestic dispute over child custody and identified himself as an off duty officer.	1	57	Exonerated
11	Officers attempted to detain a citizen who jumped from a second story balcony to flee and broke his leg and then withheld medical attention.	2	62	Pending

\*120 days were due to awaiting results of outside laboratory evaluation of paint samples

### Average # Days to Complete Investigation



The average number of days to complete an investigation in 2008 was skewed by one case needing 120 days for an outside agency to provide laboratory analysis of paint samples. The adjusted overall average case investigation time was 72 days.

45% of the completed citizen complaints investigated by the Internal Affairs Division in 2008 resulted in a Sustained finding. Two formal investigations were closed prior to being completed as the involved Officer(s) retired prior to the investigation being complete. Critics of the police may cite such figures as evidence of the need for independent citizen oversight. Should the reader be curious about the an apparently low number of formal complaints shown as “sustained”, that may best be answered by referencing a study published in 2001.

Professor Samuel Walker, in his 2001 publication *Police Accountability: The Role of Citizen Oversight*, notes that “low sustain rates appear to be a universal phenomenon common to all complaint procedures” (at p. 120)<sup>1</sup>. He goes on to note that citizen complaints are inherently difficult to investigate and even harder to sustain for the following reasons:

- Lack of independent witnesses;
- Lack of physical evidence;
- Ambiguity of circumstances and evidence; and
- Inherent justification of police for using force.

Since 2006 not a single case was closed due to a complainant's failure to cooperate or participate in an investigation. While complainant cooperation is not essential for a case to be investigated, a complainant's failure to cooperate makes it more difficult for even a legitimate complaint to be sustained. Historical data show

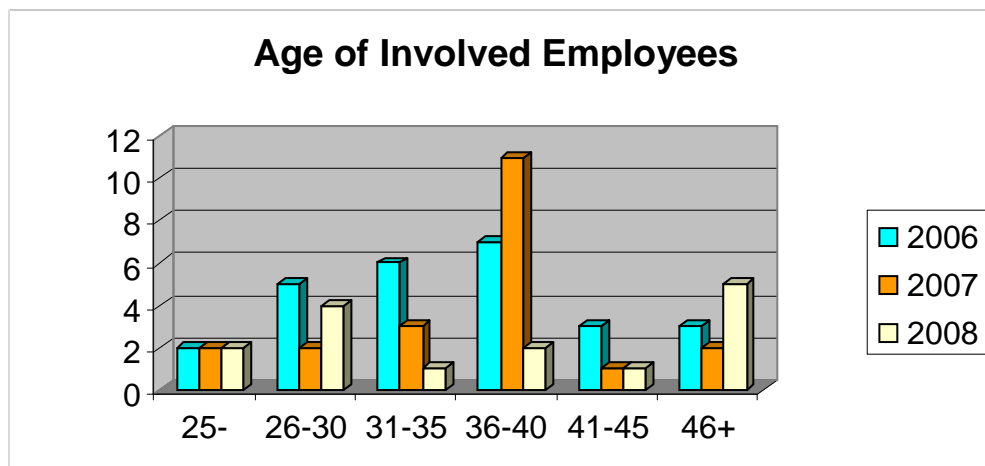
<sup>1</sup> Professor Samuel Walker, University of Nebraska at Omaha, *Police Accountability: The Role of Citizen Oversight*, Wadsworth Professionalism in Policing Series, p. 121, note 5.



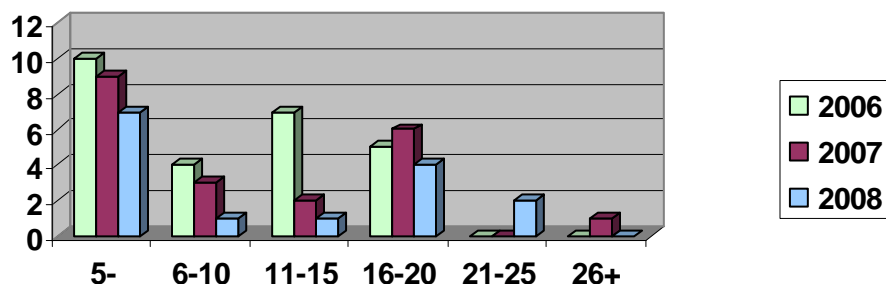
this level of community interaction has not always been the case. It is our belief that the increased efforts in community relations have led to more open lines of communication between the public and the department

<b>Citizen Complaints – Age of Involved Employees</b>						
<b>Age</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
25 years and younger	2	8%	2	10%	2	13%
26-30 years	5	19%	2	10%	4	27%
31-35 years	6	23%	3	15%	1	7%
36-40 years	7	27%	11	52%	2	13%
41-45 years	3	12%	1	5%	1	7%
46 years and older	3	12%	2	10%	5	33%
Unknown	0	0%	0	0%	0	0%
<b>Citizen Complaints – Length of Service for Involved Employees</b>						
<b>Tenure</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
5 years or less	10	38%	9	45%	7	46%
6-10 years	4	15%	3	15%	1	7%
11-15 years	7	27%	2	10%	1	7%
16-20 years	5	19%	6	29%	4	27%
21-25 years	0	0%	0	0%	2	13%
26 years or more	0	0%	1	5%	0	0%
Unknown	0	0%	0	0%	0	0%

\* More than one officer may have been involved in a citizen complaint incident, thus the difference in number of officers versus number of incidents.

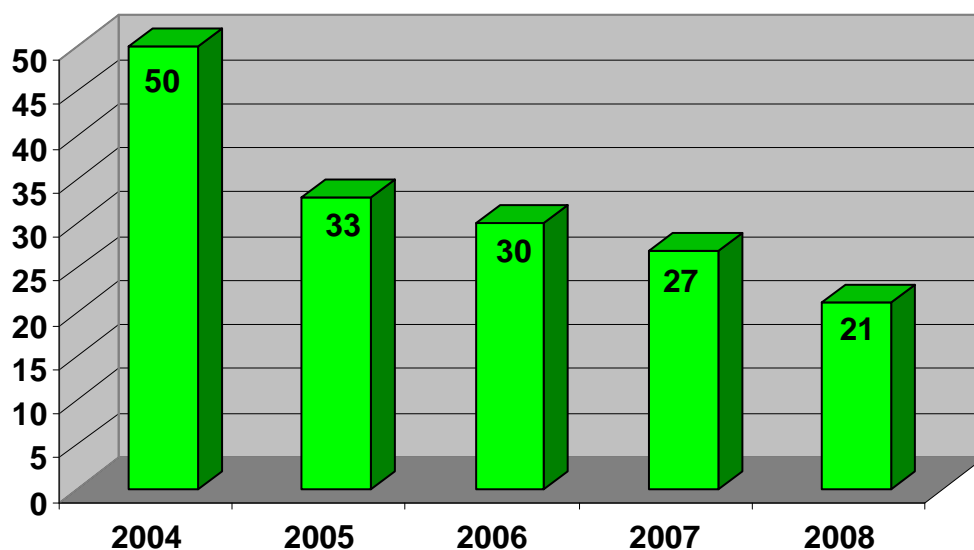


### Tenure of Involved Employees



## VIII. Administratively Directed Investigation Overview – 2008

Administratively Directed Investigations 2004-2008				
2004	2005	2006	2007	2008
50	33	30	27	21

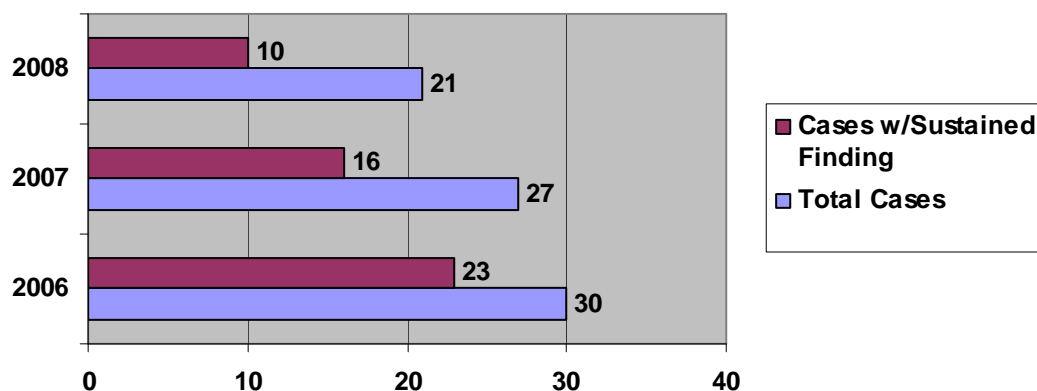


Administratively directed investigations are investigations which originate internally within the Department. They involve one employee making a complaint against another, most often a supervisor alleging improper conduct by a subordinate. In 2008, 21 Administratively Directed Investigations were initiated,

compared to 27 complaints in 2007, for a decrease of 22%. This may be in part due to the increased discretion given to supervisors to immediately take action on incidents involving their employees and to handle minor policy violations as performance issues to be documented in the employee's Personnel File.

<b>Administratively Directed Investigations - 2008</b>	
<b><i>Investigative Category</i></b>	<b><i># of Investigations</i></b>
Failure to Take Appropriate Action	
Improper Procedure	3
Failure to Appear – Court or DMV Hearing	6
Misuse of Authority	
Unnecessary Force	1
Discrimination/Harassment	1
Improper Release of Data	2
Code of Conduct –Values & Ethics	8
Improper use of departmental computer	
<b># of 21 cases (%) contained a Sustained finding*</b>	<b>10</b>

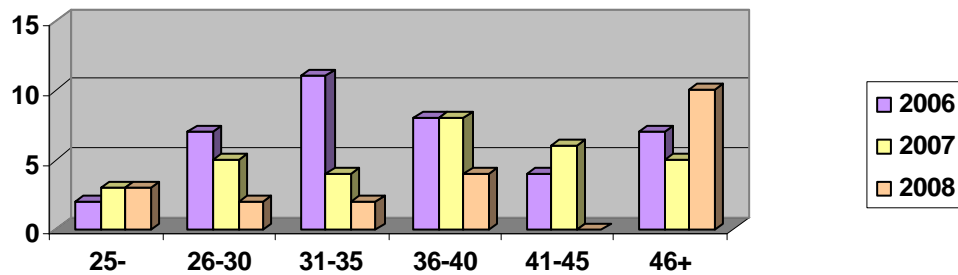
\* of the 21 ADI investigations 7 were closed due to the employee(s) retiring before the case was closed



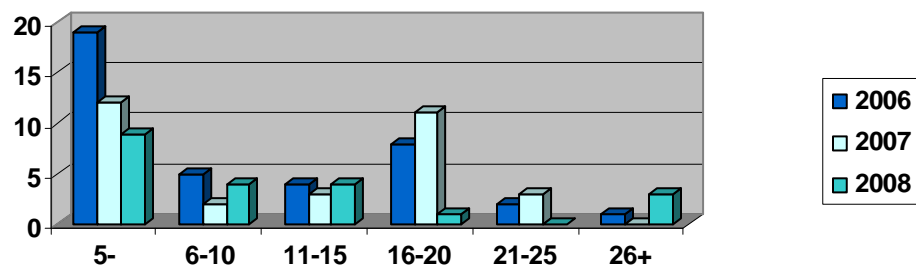
<b>Administratively Directed Investigations – Age of Involved Employees</b>						
<b>Age</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
25 years and younger	2	5%	3	10%	3	14%
26-30 years	7	18%	5	16%	2	10%
31-35 years	11	28%	4	13%	2	10%
36-40 years	8	21%	8	26%	4	19%
41-45 years	4	10%	6	19%	0	0%
46 years and older	7	18%	5	16%	10	47%
<b>Administratively Directed Investigations – Length of Service</b>						
<b>Tenure</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
5 years or less	19	49%	12	39%	9	43%
6-10 years	5	13%	2	6%	4	19%
11-15 years	4	10%	3	10%	4	19%
16-20 years	8	21%	11	35%	1	5%
21-25 years	2	5%	3	10%	0	0%
26 years or more	1	3%	0	0%	3	14%

\* More than one officer may have been involved in an administratively directed investigation, thus the difference in number of officers versus number of incidents.

**Age of Involved Employees**



**Tenure of Involved Employees**

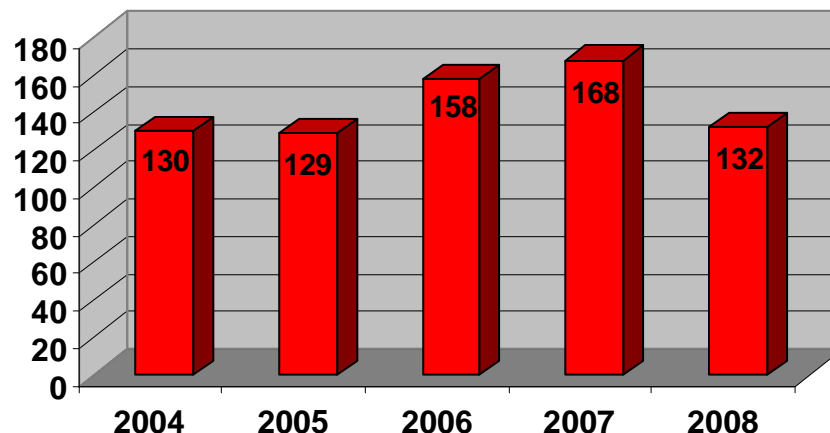


## IX. Use of Force Overview – 2008

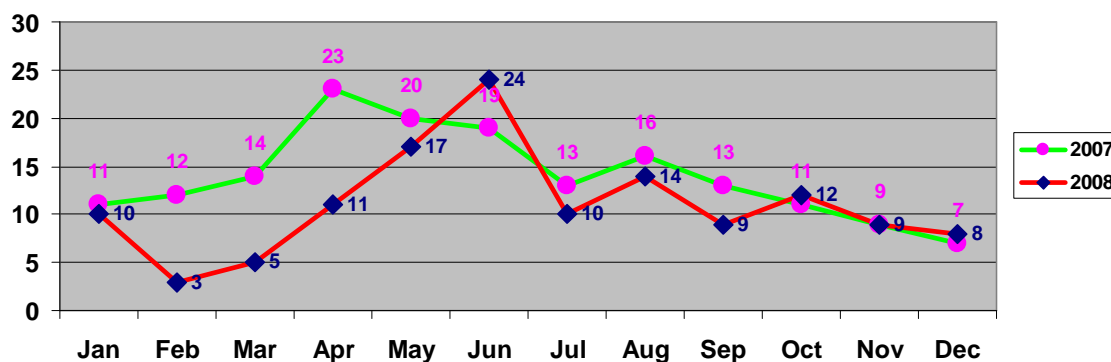
The Reno Police Department provides ongoing training for all officers in the many varied methods of force that could be utilized when effecting an arrest or defending oneself or another.

A Use of Force Report is required in all cases where personnel apply a use of force alternative resulting in an apparent or claimed injury, and in all cases involving the use of a baton, personal weapons, carotid, Electronic Control Device -TASER®, chemical agent, canine, any exceptional use of force, or any firearm discharge, including use of less lethal munitions.

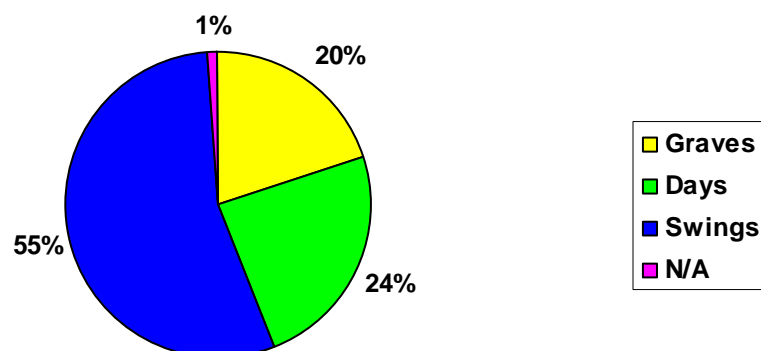
<b>Use of Force Incidents 2004 - 2008</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Total # UOF Incidents	130	129	158	168	<b>132</b>
Total # of Officers Involved	221	218	261	255	<b>217</b>
<b>Types of Force Used 2004 - 2008</b>					
Asp/Baton	7	10	11	13	<b>6</b>
Handcuff Takedown	2	4	10	14	<b>13</b>
Handcuff Injury Only	1	10	8	4	<b>8</b>
Less-Lethal Munitions	0	1	0	2	<b>6</b>
Pepper Spray	4	1	3	3	<b>0</b>
Personal Weapons	2	9	17	21	<b>23</b>
Physical Controls	170	167	176	150	<b>140</b>
Taser	63	59	46	64	<b>52</b>
Carotid Restraint	2	0	2	3	<b>3</b>
K-9	0	0	0	0	<b>4</b>
Other	1	0	4	11	<b>11</b>



2007-2008 UOF Incidents by Month



Use of Force Incidents - Shift of Occurance



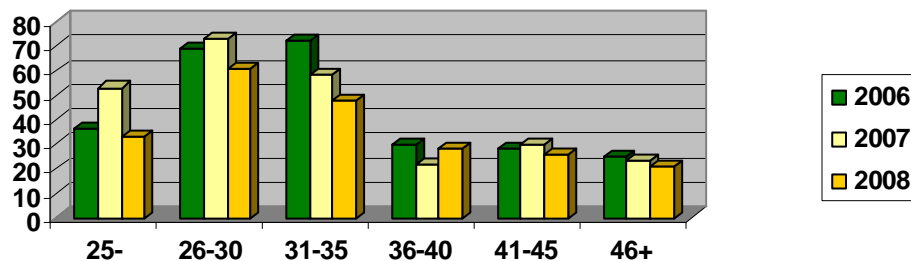
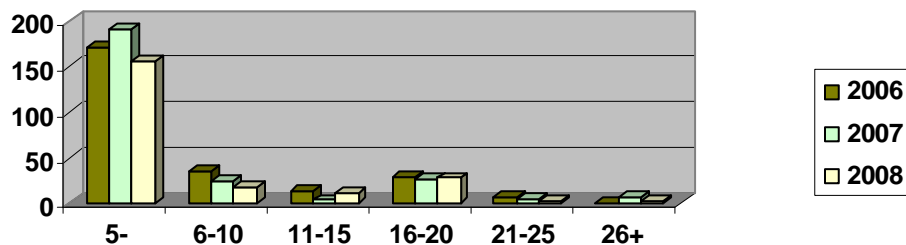
In 2008, officers made 13,347 arrests. This is approximately a 10% decrease from the previous year. During these citizen contacts, there were 130 Use of Force Reports generated.

UOF Incidents vs. Arrests			
Year	# Arrest	# UOF Incidents	Ratio
2006	13,420	158	1:85
2007	14,895	168	1:89
2008	13,347	130	1:102

The following chart details the reasons which led to the use of force incidents.

<b>Reason for Use of Force</b>						
	<b>2006 Count</b>	<b>2007 Count</b>	<b>2008 Count</b>	<b>2006 % Total</b>	<b>2007 % Total</b>	<b>2008 % Total</b>
Assault w/ Vehicle	0	1	<b>0</b>	0%	1%	<b>0%</b>
Armed w/ Deadly Weapon	3	12	<b>2</b>	2%	12%	<b>2%</b>
Armed Hostage Situation	1	2	<b>0</b>	1%	1%	<b>0%</b>
Attack on Officer	15	23	<b>12</b>	9%	14%	<b>9%</b>
Barricaded Subject	1	0	<b>2</b>	0%	0%	<b>2%</b>
Flight	24	36	<b>23</b>	15%	22%	<b>17%</b>
Other	13	10	<b>7</b>	8%	6%	<b>5%</b>
Physical Resistance	70	59	<b>53</b>	45%	35%	<b>40%</b>
Suicidal Subject	5	1	<b>3</b>	3%	1%	<b>2%</b>
Threatening to Fight	4	4	<b>10</b>	3%	2%	<b>8%</b>
Threats/Gestures	2	9	<b>4</b>	1%	5%	<b>3%</b>
Uncooperative	15	11	<b>16</b>	9%	7%	<b>12%</b>
N/A	4	0	<b>0</b>	3%	0%	<b>0%</b>

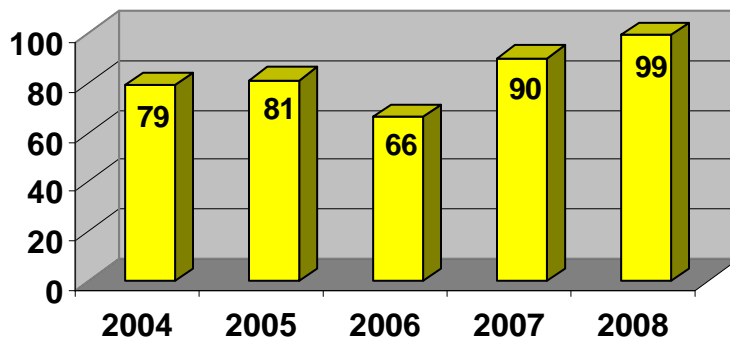
<b>Use of Force Incidents – Age of Involved Employees</b>						
<b>Age</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
25 years and younger	36	14%	53	21%	33	<b>15%</b>
26-30 years	69	27%	73	28%	61	<b>28%</b>
31-35 years	72	28%	58	22%	48	<b>22%</b>
36-40 years	30	12%	22	9%	28	<b>13%</b>
41-45 years	28	11%	30	12%	26	<b>12%</b>
46 years and older	25	10%	23	9%	21	<b>10%</b>
<b>Use of Force Incidents – Length of Service</b>						
<b>Tenure</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
5 years or less	171	66%	191	74%	156	<b>72%</b>
6-10 years	36	14%	25	10%	18	<b>8%</b>
11-15 years	14	5%	4	2%	11	<b>5%</b>
16-20 years	30	12%	26	10%	28	<b>13%</b>
21-25 years	8	3%	6	2%	2	<b>1%</b>
26 years or more	1	0%	7	3%	2	<b>1%</b>

**Age of Involved Employees****Tenure of Involved Employees****X. Employee Involved Traffic Crash Overview – 2008**

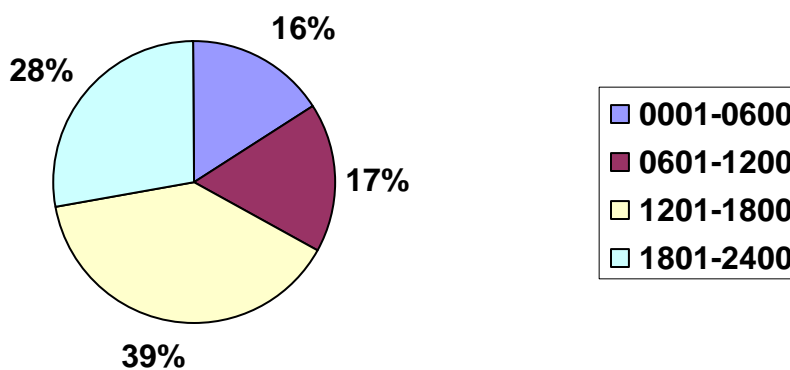
The Reno Police Department operates a fleet of approximately 300 motor vehicles. During 2008, employees of the Reno Police Department were involved in a total of 99 traffic crashes. As compared to calendar year 2007, this represents an increase in traffic crashes by 10 percent.

Reno Police Department Employee Traffic Crashes				
2004	2005	2006	2007	2008
79	81	66	90	99





### Traffic Crashes - Time of Occurance



Every traffic collision involving a Reno Police Department employee is investigated. This includes any incident involving a motor vehicle in motion that causes some form of property damage. Investigations are completed by the Internal Affairs Division, or in the case of sworn employees, by their direct supervisor. The initial investigation is for the purpose of determining if the employee was at fault, *avoidable*; or not at fault, *unavoidable*.

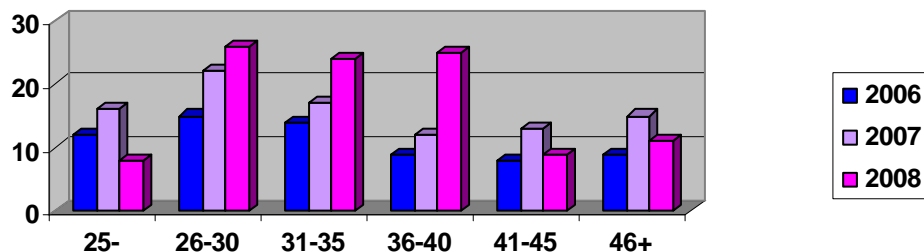
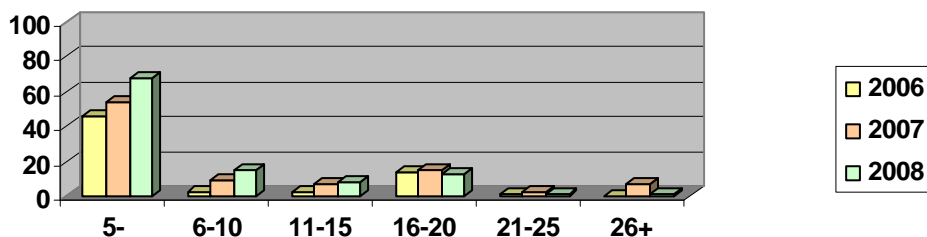
For the calendar years of 2004 through 2008, the following were the outcomes for these investigations:

<b>Outcomes of Traffic Crash Investigations</b>			
<b>Year</b>	<b>Avoidable</b>	<b>Unavoidable</b>	<b>Total</b>
2004	52 (66%)	27	80
2005	54 (67%)	27	81
2006	41 (62%)	25	66
2007	53 (59%)	37	90
2008	69 (70%)	30	99

Of the avoidable traffic crashes for this time period, a total of twenty two (22), representing 32 percent occurred while the employee was in the process of backing a vehicle.

Departmental guidelines and State statutes require that employees drive with due regard for the safety of others and that motor vehicle operation be conducted in a careful, prudent manner. Employees who violate these guidelines are subject to disciplinary action as defined within Departmental policy and within their bargaining unit contracts. Discipline is progressive in nature and may increase with any additional traffic crashes within specified periods of time.

<b>Traffic Crashes – Age of Involved Employees</b>						
<b>Age</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
25 years and younger	12	18%	16	17%	8	8%
26-30 years	15	22%	22	23%	26	25%
31-35 years	14	21%	17	18%	24	23%
36-40 years	9	13%	12	13%	25	24%
41-45 years	8	12%	13	14%	9	9%
46 years and older	9	13%	15	16%	11	11%
<b>Traffic Crashes – Length of Service</b>						
<b>Tenure</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
5 years or less	46	69%	54	57%	68	64%
6-10 years	3	4%	9	9%	15	14%
11-15 years	3	4%	7	7%	8	7%
16-20 years	14	21%	15	16%	13	12%
21-25 years	1	1%	3	3%	1	1%
26 years or more	0	0%	7	7%	2	2%

**Age of Involved Employees****Tenure of Involved Employees**

The following are the details and outcomes related to each traffic crash incident:

<b>Traffic Crashes - 2008</b>				
#	Vehicle	Circumstances	Avoidable	Dispo
1	Marked	Officer was driving s/b hwy 395, lost control in snow and hit the center median	Yes	Doc. Oral
2	Marked	Officer on Mill crossing Kietzke when he struck with his left mirror the right mirror of Citizen	Yes	Doc. Oral
3	Marked	Citizen turned corner going to fast slid out of control hit parked patrol car	No	
4	Marked	Vehicle driver started backing and struck patrol vehicle	No	
5	Marked	Officer parked patrol car in marked parking space citizen backed into patrol car	No	
6	Marked	Backed patrol car into another vehicle in the motorpool at RPD main station	Yes	Letter
7	Marked	Attempting to make u turn on Sutro and 4 <sup>th</sup> street slid into a power pole.	Yes	Susp. 10 hrs
8	Marked	Officer activated his lights and went through a red light striking a vehicle in the intersection.	Yes	letter
9	Unmarked	Backed into another RPD vehicle and cracked her license plate frame.	Yes	Doc. Oral

10	Marked	In parking lot looking for subject's vehicle, struck parking pillar with the left side of patrol vehicle.	Yes	Doc. Oral
11	Graffiti truck	Civilian employee backed graffiti truck into a citizen's vehicle.	Yes	Doc. Oral
12	Marked	Officer was exiting the east gate of the motorpool and struck another vehicle.	Yes	Letter
13	Unmarked	Detective lost control of his vehicle in the heavy snow and struck an unoccupied vehicle.	Yes	Doc. Oral
14	Marked	Sergeant backed into another marked unit	Yes	Doc. Oral
15	CSO CV	CSO was rear ended by a citizen on a motorcycle.	No	
16	Marked truck	Officer was driving to training through the gate and hit the gate with the side of the vehicle.	Yes	Doc. Oral
17	Unmarked	Civilian Employee was pulling into the motor pool and clipped the mirror on gate post.	Yes	Doc. Oral
18	Marked	Officer went through a traffic light with lights and siren on and struck another vehicle.	Yes	No Action
19	Marked	Officer went through an and was struck by a citizen vehicle.	No	
20	Motorcycle	Officer made a right turn but did not clear his partner's motorcycle	Yes	Doc. Oral
21	Marked	Officer made u-turn in the median of 395, striking a rock causing damage to bumper.	Yes	Doc. Oral
22	PTV	Officer backed the PTV into a wall while in an alley	Yes	Doc. Oral
23	Marked	Officer was driving too fast for conditions and was unable to safely negotiate a turn	Yes	Susp. 10 hrs
24	Marked	Officer drove over a curb damaging the undercarriage of car	Yes	Letter
25	PTV	In the parking lot at 1850 Idlewild a citizen was attempting to flee the police and hit the PTV.	No	
26	PTV	Officer backed a PTV into a parked car.	Yes	Letter
27	CSO scooter	CSO struck the curb and the corner of a large metal plate that was covering a sidewalk drain.	Yes	Doc. Oral
28	Marked	Officer backed into a guy wire which was supporting a telephone pole.	Yes	Doc. Oral
29	PTV	Officer was driving PTV on N. Center St. when he struck another vehicle	Yes	Letter
30	Unmarked	Sgt. was in a parking lot and an unknown vehicle struck the and driver side door.	No	
31	Marked	Officer forgot to put his K-9 vehicle in park while assisting RFD. Vehicle rolled into another	Yes	Letter
32	PTV	Officer backed the PTV into a pole.	Yes	Letter
33	PTV	Officer hit a marked patrol vehicle while driving the PTV in the motor pool.	Yes	Training
34	Unmarked	Detective parked his unmarked vehicle on 4 <sup>th</sup> St. A citizen hit his car causing mirror damage.	No	

35	Unmarked	Detective was turning on to Sutro St. and was struck by a citizen on a bicycle.	No	
36	CSO Scooter	CSO hit a wall in an alley while avoiding being hit head on by a civilian	No	
37	Marked	Officer hit a curb causing damage to the tire and alignment of his marked patrol vehicle	Yes	Doc Oral
38	Marked	Officer was driving too fast to negotiate a turn and drove over a curb striking a fire hydrant	Yes	Susp. 20 hrs
39	Marked	Officer was backing in a driveway and struck a cement filled bollard with the side of his car.	Yes	Letter
40	Marked	At the Pyramid Shooting Facility two officer's backed their vehicles at the same time and hit each other.	Closed W/ No action	
41	Marked	Officer backed his vehicle in a parking lot and struck a subject that had just exited a Sani-hut.	No	
42	Marked	While responding to a robbery Officer did not safely clear an intersection while going Code 3	Yes	Susp . 20 hrs
43	Marked	Officer struck a curb which popped the right front passenger tire and scrapped the rim.	Yes	Doc. Oral
44	Marked	Officer backed into a pole at Renown while on a disturbance call.	Yes	Doc. Oral
45	Unmarked	Detective was pulling into the motor pool and hit a vehicle driving out	Yes	Letter
46	Marked	Officer was driving SB in the 9200 blk of S. Virginia and struck a construction cone	Yes	Letter
47	Marked	Officer struck the curb with the right front tire causing a flat tire.	Yes	Doc. Oral
48	Marked	Officer was on Peckham Ln. when a vehicle failed to yield while pulling out of a parking lot.	No	
49	Marked	Officer went in the wrong way and drove over metal spike stripes causing tire damage	Yes	Training
50	Motorcycle	Officer pulled a car over and was backed into as citizen prepared to pull away after being issued a citation.	No	
51	Marked	Officer backed into light pole in parking lot while leaving a call.	Yes	Training
52	Marked	Officer was checking in-car his data terminal and hit a vehicle that stopped at a green light.	Yes	Doc. Oral
53	CSO CV	CSO parked to handle an accident and another vehicle struck her unoccupied vehicle.	No	
54	Marked	Officer backed up without looking and backed into another patrol vehicle.	Yes	Training
55	Marked	Officer was making a u-turn and struck the passenger side of a Chevy driven by a citizen.	Yes	Letter
56	Marked	Officer was parked in a parking lot and was backed into by a citizen.	No	
57	Marked	Officer was driving at the US 395 & I 80 interchange and hit a construction cone	Yes	Doc. Oral

58	Marked	Officer was responding to a fire when a citizen made a sudden u-turn and struck marked unit	No	
59	Marked	A citizen backed out of a parking space and struck unoccupied marked patrol vehicle.	No	
60	Marked	While driving on a dirt road officer struck a rock causing damage to the undercarriage of vehicle	Yes	Training
61	Unmarked	Officer backed into a metal post while conducting a surveillance in a parking garage	Yes	pending
62	CSO CV	CSO was entering the Cal Neva parking garage and hit the side of her vehicle on a post.	Yes	Doc. Oral
63	PTV	Officer was backing PTV 1 into a parking space in the motor pool and struck the parked PTV 2.	Yes	Letter
64	Marked	Officer drove over a large rock while driving on a path.	Yes	Training
65	Unmarked	Detective was backing his vehicle in the motor pool and hit a parked vehicle.	Yes	Doc. Oral
66	Marked	Officer was in an apartment complex parking lot and backed into a gate	Yes	Doc. Oral
67	Marked	Officer was making a left turn and stuck a motorcycle at E. 9 <sup>th</sup> and Sutro.	Yes	Doc. Oral
68	Marked	Officer Trainee backed into a rock while parking at local restaurant.	Yes	Training
69	Marked	Officer backed out of a parking space in the motor pool and struck an unmarked vehicle.	Yes	Doc. Oral
70	Marked	Officer was driving code 3 and was struck by a citizen in the intersection of 2 <sup>nd</sup> and Keitzke.	No	
71	Marked	Officer backed a traffic truck into a metal pole in a parking lot.	Yes	Doc. Oral
72	Motorcycle	Officer drove his motorcycle too close to his partner causing a collision	Yes	Doc. Oral
73	Marked	Sgt drove across traffic lanes of N/B Wells to assist an officer who was in a fight. A N/B car hit him	Yes	Pending
74	Marked	Officer looked down at his MDT, ran red light and struck a vehicle in the intersection.	Yes	Doc. Oral
75	Marked	Officer was responding to a call and was hit by an intoxicated bicyclist.	No	
76	Marked	Officer was responding Code 3 in heavy rain and hydroplaned striking a curb	Yes	Doc. Oral
77	Unmarked	Detective was driving through the Gold's Gym parking lot when a citizen backed into him	No	
78	CSO CV	CSO was stopped at a stop sign. To avoid being hit by a truck she backed up and hit the car behind her.	No	
79	Marked	Graveyard officer fell asleep while driving SE on Double R Blvd. and struck a jersey wall.	Yes	Doc. Oral
80	Unmarked	Detective was driving home from work and rear ended a vehicle at a green light.	Yes	Doc. Oral
81	Specialty	Officer was backing the SWAT armored car into its storage bay and struck the roll up door.	Yes	Doc. Oral

82	Marked	Officer was sitting in parked patrol vehicle when a fire engine hit the open door	No	
83	Marked	Officer was W/B on freeway when he was hit by a DUI driver going the wrong way on freeway	No	
84	Unmarked	Detectives were stopped at a light at when they were rear ended by an intoxicated driver.	No	
85	Marked	Officer rear ended vehicle in front of him when it suddenly stopped	Yes	Doc. Oral
86	Unmarked	Detective was driving to work and hit two vehicles that were stopped at a red traffic light.	Yes	Doc. Oral
87	Motorcycle	During a traffic stop a citizen backed into a marked police motorcycle	No	
88	Unmarked	Detective was driving while texting and rear ended the vehicle ahead of him.	Yes	Doc. Oral
89	Marked	Officer struck the side of his assigned vehicle on the edge of a garage door	Yes	Doc. Oral
90	Marked	A citizen failed to yield right of way while making a turn and struck the CSO's vehicle	No	
91	Unmarked	Detective was in the motor pool and backed into another police vehicle	Yes	Doc. oral
92	Marked	Citizen struck officer and his marked vehicle while officer was doing traffic control	No	
93	Motorcycle	Officer lost traction at rear tire of his motorcycle and bike went out from under him	Yes	Pending
94	Unmarked	Detective's vehicle was struck while parked overnight in his driveway	No	
95	Marked	Officer made a traffic stop and the citizen accidentally backed into the patrol vehicle.	No	
96	Marked	Officer was side-swiped by a DUI driver	No	
97	Marked	While officer was backing up he struck another car	Yes	Pending
98	Marked	Officer backed out of a marked parking space in the motor pool striking another vehicle	Yes	Pending
99	Marked	While conducting traffic control at the scene of an accident, citizen slid into marked unit	No	

## XI. Vehicle Pursuit Overview – 2008

The Reno Police Department recognizes that the preservation of life and public safety is more important than either property or the immediate apprehension of non-violent criminals. However, enforcement of the law may necessitate the initiation of a vehicle pursuit in order to apprehend violators. Decisions to initiate, continue, or discontinue a pursuit require the evaluation of many factors, to include the nature of the offense(s), environmental conditions, and with respect to the overall safety of the public.

Departmental General Orders outline procedures to clarify responsibilities in vehicle pursuits from initiation to termination. Any deviation must be fully justified in writing by the officer/supervisor involved. These procedures are to be followed as a



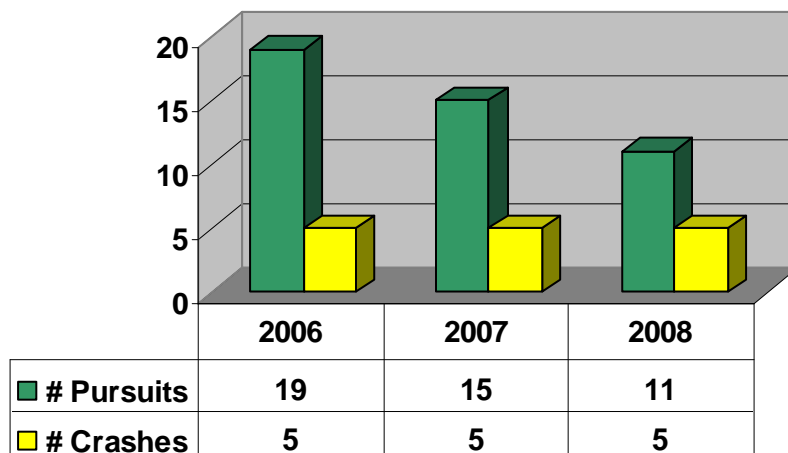
general rule, although the facts and circumstances of a particular situation may require a different response. The decision to pursue will be limited to the facts known at the time. The ultimate responsibility for a vehicle pursuit or legal intervention lies with the officer/supervisor involved.

Officers may pursue a suspect when they reasonably believe the suspect has committed a felony or poses an immediate threat to human life. Unless exigent circumstances exist, officers will normally not pursue a suspect who has committed a misdemeanor. Officers must articulate justifiable cause necessitating immediate apprehension of the suspect when pursuing for any offense.

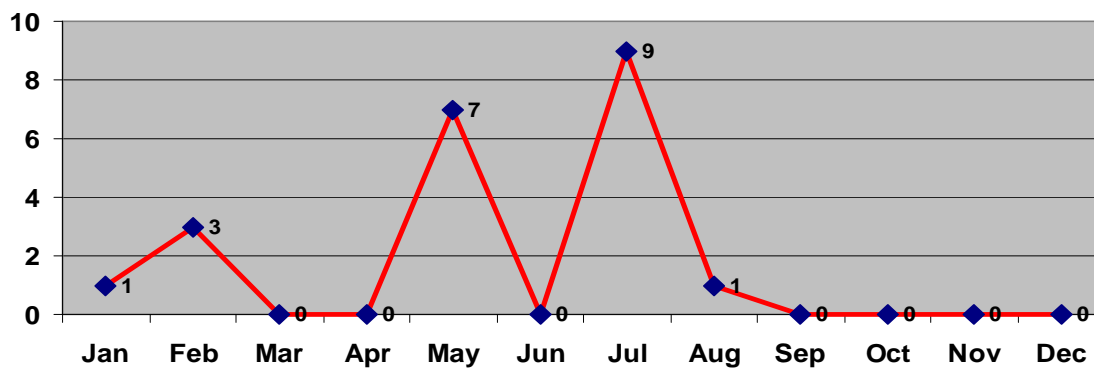
<b>Vehicle Pursuits 2004-2008</b>				
<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
17	22	19	15	11

<b>Vehicle Pursuits - Reasons</b>			
	<b>2006</b>	<b>2007</b>	<b>2008</b>
# Pursuits	19	15	11
# Officers Involved	35	44	21
# Crashes During	5	5	5
# Aborted/Cancelled	8	7	6
Felony Crime	10	8	7
Traffic Offense	7	4	2
Wanted Subject	0	2	0
Misdemeanor Crime	1	0	1
Other	1	1	1

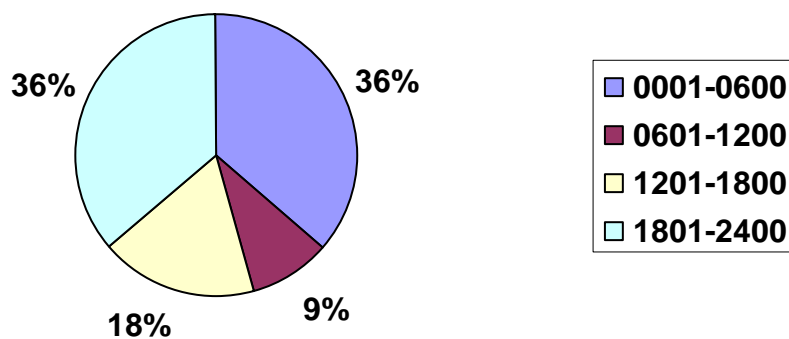




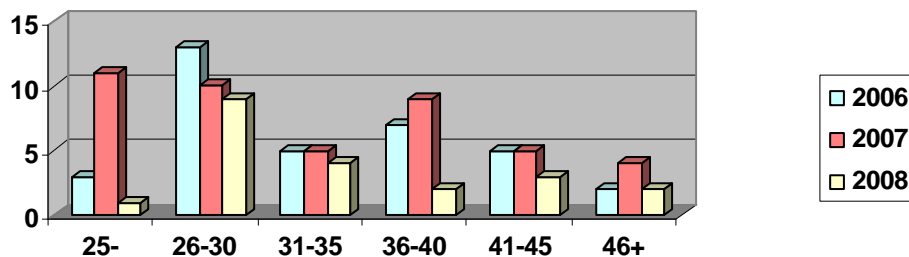
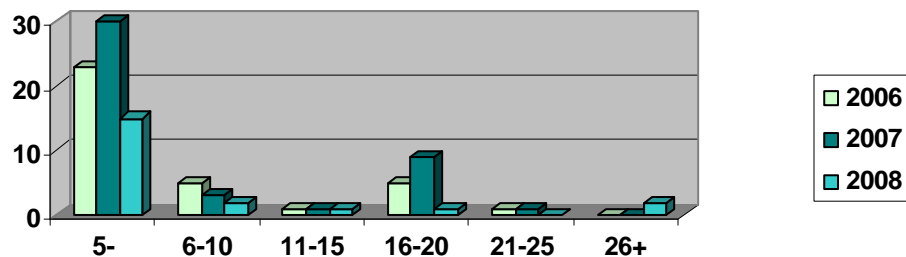
Vehicle Pursuits by Month - 2008



Vehicle Pursuits - Time of Occurance



<b>Vehicle Pursuits – Age of Involved Employees</b>						
<b>Age</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
25 years and younger	3	9%	11	25%	1	5%
26-30 years	13	37%	10	23%	9	43%
31-35 years	5	14%	5	11%	4	19%
36-40 years	7	20%	9	20%	2	10%
41-45 years	5	14%	5	11%	3	13%
46 years and older	2	6%	4	9%	2	10%
<b>Vehicle Pursuits – Length of Service</b>						
<b>Tenure</b>	<b>2006</b>		<b>2007</b>		<b>2008</b>	
5 years or less	23	66%	30	68%	15	70%
6-10 years	5	14%	3	7%	2	10%
11-15 years	1	3%	1	2%	1	5%
16-20 years	5	14%	9	20%	1	5%
21-25 years	1	3%	1	2%	0	0%
26 years or more	0	0%	0	0%	2	10%

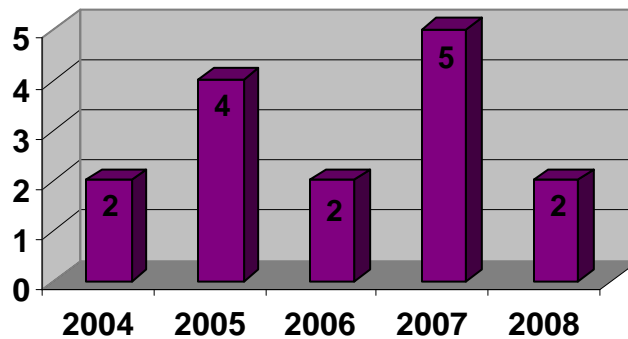
**Age of Involved Employees****Tenure of Involved Employees**

## **XII. Officer Involved Shooting Overview – 2008**

The Internal Affairs Division conducts an investigation and/or review of each officer involved shooting situation. This includes accidental discharges of departmental weapons. In 2008 there were only two (2) officer involved shooting incidents, each of which is briefly described below:

1. Officers responded to shots fired call at an apartment complex. Upon locating the unit in question evidence indicated exigent entry into an apartment was warranted. During the process of forcing entry an officer accidentally discharged his firearm striking a cabinet.
2. Upon completion of a perimeter assignment, related to a burglary in progress call, an officer was clearing his weapon when it accidentally discharged into the ground

<b>Officer Involved Shootings</b>				
<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
2	4	2	5	2

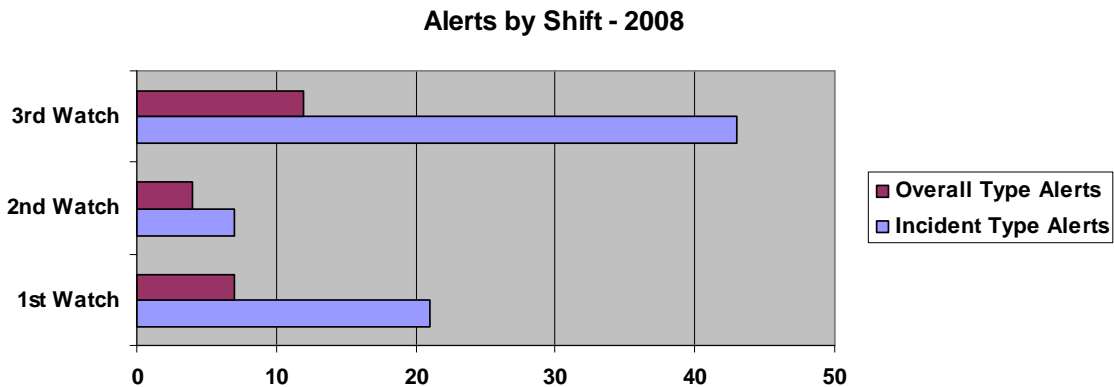
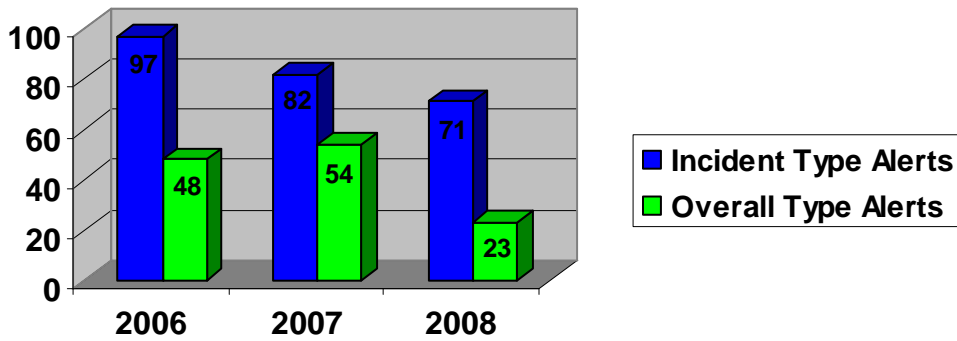


### XIII. Personnel Early Intervention System Overview – 2008

See Section VI for a full discussion of the Personnel Early Intervention System and Alert thresholds.

<b>Personnel Early Intervention System Alerts INCIDENT Type Alert</b>			
	<b>2006</b>	<b>2007</b>	<b>2008</b>
Number of Officers with 7 Alerts	1	0	0
Number of Officers with 6 Alerts	1	1	0
Number of Officers with 5 Alerts	2	2	1
Number of Officers with 4 Alerts	6	4	4
Number of Officers with 3 Alerts	2	3	5
Number of Officers with 2 Alerts	11	10	6
Number of Officers with 1 Alert	22	20	22
<b>Total of INCIDENT type alerts</b>	<b>97</b>	<b>81</b>	<b>71</b>

<b>Personnel Early Intervention System Alerts OVERALL Type Alert</b>			
	<b>2006</b>	<b>2007</b>	<b>2008</b>
Number of Officers with 9 Alerts	0	1	0
Number of Officers with 8 Alerts	0	0	0
Number of Officers with 7 Alerts	1	1	0
Number of Officers with 6 Alerts	2	1	0
Number of Officers with 5 Alerts	1	2	0
Number of Officers with 4 Alerts	1	0	0
Number of Officers with 3 Alerts	3	0	3
Number of Officers with 2 Alerts	2	3	2
Number of Officers with 1 Alert	7	14	9
<b>Total of OVERALL type alerts</b>	<b>48</b>	<b>52</b>	<b>23</b>



#### XIV. Trends

As previously indicated, the data in this report serves several purposes. It is presented to more fully inform the citizens of Reno of a key aspect of a strong police/community relationship. The Department believes an informed community will be more understanding of the difficult and critical role a police officer must fulfill. The overall goal of the Reno Police Department is to provide efficient, effective and professional police service to our citizens. As part of this goal, the data provided in this report is reviewed for trends that may be impacted by various responses of the police department such as training and education.

A review of the data collected for 2008 reveals that approximately 67% of all of the identified incidents involving Department employees occurred within their first 5 years of tenure. This is a continuing trend and an increase from last year when approximately 66% of employees fell within this category. The year 2006 only contained 63% of employees within this category. This requires that we more closely examine these groups of incidents to determine if they can be impacted by initial and/or ongoing training, education, counseling or monitoring. An ongoing annual report provides a baseline to the public, City officials and the Department as a measure of future changes.

By reviewing the trends presented during the preceding year we can:

- Review policy and procedure for potential changes
- Update in-service training programs
- Research education and training programs that may better prepare our officers for the ever changing environment they work in

The Reno Police Department's training division is constantly reviewing the information obtained through the IA process as the impetus for program improvements. Our current training practices have been modified over the past two years in an effort to provide officers with an opportunity to experience, in a controlled environment, situations that replicate what other police officers nationwide have encountered. It is also a fundamental desire to improve our service to the community and to foster as safe a work environment as possible for our employees.

<b>Years of Service – All Incidents 2008</b>						
<b>Years of Service</b>	<b>Citizen Complaints</b>	<b>Administratively Directed Investigations</b>	<b>Use of Force Incidents</b>	<b>Traffic Crashes</b>	<b>Vehicle Pursuits</b>	<b>Total</b>
0-5	7	9	156	68	15	255 <b>66.93%</b>
6-10	1	4	18	15	2	40 <b>10.50%</b>
11-15	1	4	11	8	1	25 <b>6.56%</b>
16-20	4	1	28	13	1	47 <b>12.34%</b>
21-25	2	0	2	1	0	5 <b>1.31%</b>
26+	0	3	2	2	2	9 <b>2.36%</b>

<b>Years of Service – All Incident Totals Per Year</b>						
	<b>2006</b>		<b>2007</b>		<b>2008</b>	
	<b>Total</b>	<b>Percentage</b>	<b>Total</b>	<b>Percentage</b>	<b>Total</b>	<b>Percentage</b>
Years of Service						
0-5	269	62.9%	296	65.63%	255	66.93%
6-10	53	12.4%	43	9.53%	40	10.50%
11-15	29	6.7%	17	3.76%	25	6.56%
16-20	62	14.5%	67	14.85%	47	12.34%
21-25	12	2.8%	13	2.88%	5	1.31%
26+	2	.46%	15	3.32%	9	2.36%

## **ADDENDUM A**

### **Complaint/Concern Reporting Procedures**

#### **What is a Concern? *Using the Citizen Suggestion Line***

You may have had contact with a Police Department employee during which you felt their demeanor or actions, in your opinion, were questionable, but do not necessitate a formal complaint. You still feel the need, however, to discuss the employee's behavior with us, without the need for additional involvement.

The Reno Police Department maintains a citizen suggestion line if you would like to simply offer your opinion of police operations, ask a question, or address a concern. This can even be done anonymously if you prefer. Call 775-334-4636 to leave a voice mail message on the Reno Direct line or by going to [renodirect@cityofreno.com](mailto:renodirect@cityofreno.com). Messages are reviewed on a daily basis.

#### **What is a Procedural Question?**

There are times when the actions of an employee may appear inappropriate, but are procedurally and legally correct. These procedural questions often arise if a person is stopped and questioned, or may deal with issues of search and seizure or self-incrimination warnings (Miranda admonishments). You are invited to ask questions about these types of issues, and we will try to respond quickly to your inquiry. Ask your question by leaving a voice mail message on the Reno Direct line of 334-4636 or contacting an on-duty Patrol Supervisor or Watch Commander by calling Dispatch at 775-334-2121.

#### **What is a Complaint?**

A complaint is an allegation of circumstances amounting to a specific act, or omission, which if proven true would amount to misconduct. It is an expression of dissatisfaction with a policy, procedure, practice, service level or legal standard.

#### **Who May Make a Complaint?**

Any person who witnessed an incident, who feels that the Police Department has treated him or her in an adverse manner, or has direct or well-founded knowledge of inappropriate actions by any Department employee, may make a complaint.

**How Do You Register a Complaint, Concern, or Compliment?**

A complaint, compliment or concern may be made verbally or in writing at any time of the day or night to any police supervisory personnel. Usually, an explanation of the situation in person, by telephone, or via e-mail is all that is needed to initiate a review or investigation of the matter. During business hours, if you visit the Police station, you will be referred to an on-duty Watch Commander or a Patrol Supervisor. If you wish to call, you can use the Dispatch non-emergency number, 775-334-2121, 24 hours a day, and ask for the on-duty Patrol Supervisor or Watch Commander. Or try our newest method of on-line reporting at [www.cityofreno.com/res/police/iab/](http://www.cityofreno.com/res/police/iab/). Click on: IAConcerns and you will see a Comment Form. Just fill it out and when you click the "Submit" button, it will go directly to Internal Affairs.

Complaints may also be made in person or phone to any of the following locations:

Internal Affairs Office  
Reno City Hall  
1 East 1<sup>st</sup> Street  
Suite 1111  
(775)334-2106

Main Police Station  
455 E. 2<sup>nd</sup> Street  
(775)334-2175

Central Substation  
199 E. Plaza Street (at Plaza and Lake)  
(775)334-2550

Neil Road Substation  
3905 Neil Road (in Miguel Rivera Park)  
(775)689-2960

Stead Substation  
10555 Stead Blvd  
(775)677-6880



## **ADDENDUM B**

### **RIGHTS OF PEACE OFFICERS**

**NRS 289.020 Punitive action: Prohibited for exercise of rights under internal procedure; opportunity for hearing; refusal to cooperate in criminal investigation punishable as insubordination.**

1. A law enforcement agency shall not use punitive action against a peace officer if he chooses to exercise his rights under any internal administrative grievance procedure.

2. If a peace officer is denied a promotion on grounds other than merit or other punitive action is used against him, a law enforcement agency shall provide the peace officer with an opportunity for a hearing.

3. If a peace officer refuses to comply with a request by a superior officer to cooperate with his own or any other law enforcement agency in a criminal investigation, the agency may charge the peace officer with insubordination.

**NRS 289.025 Confidentiality of home address and photograph of peace officer in possession of law enforcement agency; exception.**

1. Except as otherwise provided in subsection 2, the home address and any photograph of a peace officer in the possession of a law enforcement agency are not public information and are confidential.

2. The home address and photograph of a peace officer may be released:

- (a) If the peace officer authorizes the release; or
- (b) If the peace officer has been arrested.

**NRS 289.030 Law enforcement agency prohibited from requiring peace officer to disclose financial information; exception.** A law enforcement agency shall not require any peace officer to disclose his assets, debts, sources of income or other financial information or make such a disclosure a condition precedent to a promotion, job assignment or other personnel action unless that information is necessary to:

- 1. Determine his credentials for transfer to a specialized unit;
- 2. Prevent any conflict of interest which may result in any new assignment; or
- 3. Determine whether he is engaged in unlawful activity.

**NRS 289.040 Law enforcement agency prohibited from placing unfavorable comment or document in administrative file of peace officer; exception; right to respond; provision of copy of comment or document; right to review administrative file under certain circumstances.**

1. Except as otherwise provided in subsection 3, a law enforcement agency shall not place any unfavorable comment or document in any administrative file of a peace officer maintained by the law enforcement agency unless:

- (a) The peace officer has read and initialed the comment or document; or
- (b) If the peace officer refuses to initial the comment or document, a notation to that effect is noted on or attached to the comment or document.

2. If the peace officer submits to the law enforcement agency a written response within 30 days after he is asked to initial the comment or document, his response must be attached to and accompany the comment or document.

3. If a peace officer is the subject of an investigation of a complaint or allegation conducted pursuant to [NRS 289.057](#), the law enforcement agency may place into any administrative file relating to the peace officer only:

- (a) A copy of the disposition of the allegation of misconduct if the allegation is sustained; and

- (b) A copy of the notice of or statement of adjudication of any punitive or remedial action taken against the peace officer.

4. A peace officer must be given a copy of any comment or document that is placed in an administrative file of the peace officer maintained by the law enforcement agency.

5. Upon request, a peace officer may review any administrative file of that peace officer maintained by the law enforcement agency that does not relate to a current investigation.

**NRS 289.050 Consequences of refusal to submit to polygraphic examination.**

1. If a peace officer refuses to submit to a polygraphic examination:

- (a) No law enforcement agency may take any disciplinary or retaliatory action against the peace officer; and

- (b) No investigator may make a notation of such a refusal in his report or in any other manner maintain evidence of such a refusal.

2. Evidence of any refusal by a peace officer to submit to a polygraphic examination is not admissible at any subsequent hearing, trial or other judicial or administrative proceeding.

**NRS 289.055 Establishment and availability of written procedures for investigating complaints and allegations of misconduct.** Each agency in this State that employs peace officers shall:

1. Establish written procedures for investigating any complaint or allegation of misconduct made or filed against a peace officer employed by the agency; and

2. Make copies of the written procedures established pursuant to subsection 1 available to the public.

**NRS 289.057 Investigation of allegation of misconduct; review of administrative or investigative file by peace officer in certain circumstances; law enforcement agency prohibited from keeping or making record of investigation or punitive action if record required to be removed from administrative file.**

1. An investigation of a peace officer may be conducted in response to a complaint or allegation that the peace officer has engaged in activities which could result in punitive action.

2. After the conclusion of the investigation:

(a) If the investigation causes a law enforcement agency to impose punitive action against the peace officer who was the subject of the investigation and the peace officer has received notice of the imposition of the punitive action, the peace officer or a representative authorized by the peace officer may, except as otherwise prohibited by federal or state law, review any administrative or investigative file maintained by the law enforcement agency relating to the investigation, including any recordings, notes, transcripts of interviews and documents.

(b) If, pursuant to a policy of a law enforcement agency or a labor agreement, the record of the investigation or the imposition of punitive action is subject to being removed from any administrative file relating to the peace officer maintained by the law enforcement agency, the law enforcement agency shall not, except as otherwise required by federal or state law, keep or make a record of the investigation or the imposition of punitive action after the record is required to be removed from the administrative file.

**NRS 289.060 Notification and requirements for interrogation or hearing relating to investigation.**

1. Except as otherwise provided in this subsection, a law enforcement agency shall, not later than 48 hours before any interrogation or hearing is held relating to an investigation conducted pursuant to [NRS 289.057](#), provide written notice to the peace officer. A peace officer may waive the notice required pursuant to this section.

2. The notice must include:

(a) A description of the nature of the investigation;

(b) A summary of alleged misconduct of the peace officer;

(c) The date, time and place of the interrogation or hearing;

(d) The name and rank of the officer in charge of the investigation and the officers who will conduct any interrogation;

(e) The name of any other person who will be present at any interrogation or hearing; and

(f) A statement setting forth the provisions of subsection 1 of [NRS 289.080](#).

3. The law enforcement agency shall:

(a) Interrogate the peace officer during his regular working hours, if reasonably practicable, or compensate him for that time based on his regular wages if no charges arise from the interrogation.

(b) Immediately before the interrogation or hearing begins, inform the peace officer orally on the record that:

(1) He is required to provide a statement and answer questions related to his alleged misconduct; and

(2) If he fails to provide such a statement or to answer any such questions, the agency may charge him with insubordination.

(c) Limit the scope of the questions during the interrogation or hearing to the alleged misconduct of the peace officer.

(d) Allow the peace officer to explain an answer or refute a negative implication which results from questioning during an interrogation or hearing.

**NRS 289.070 Use of polygraphic examination in investigation.**

1. During an investigation conducted pursuant to [NRS 289.057](#), the peace officer against whom the allegation is made may, but is not required to, submit to a polygraphic examination concerning such activities.

2. A person who makes an allegation against a peace officer pursuant to [NRS 289.057](#) may not be required to submit to a polygraphic examination as a condition to the investigation of his allegation, but may request or agree to be given a polygraphic examination. If such a person requests or agrees to be given a polygraphic examination, such an examination must be given.

3. If a polygraphic examination is given to a peace officer pursuant to this section, a sound or video recording must be made of the polygraphic examination, the preliminary interview and the post examination interview. Before the opinion of the polygraphic examiner regarding the peace officer's veracity may be considered in a disciplinary action, all records, documents and recordings resulting from the polygraphic examination must be made available for review by one or more polygraphic examiners licensed or qualified to be licensed in this State who are acceptable to the law enforcement agency and to the officer. If the opinion of a reviewing polygraphic examiner does not agree with the initial polygraphic examiner's opinion, the peace officer must be allowed to be reexamined by a polygraphic examiner of his choice who is licensed or qualified to be licensed in this State.

4. The opinion of a polygraphic examiner regarding the peace officer's veracity may not be considered in a disciplinary action unless the polygraphic examination was conducted in a manner which complies with the provisions of [chapter 648](#) of NRS. In any event, the law enforcement agency shall not use a polygraphic examiner's opinion regarding the veracity of the peace officer as the sole basis for disciplinary action against the peace officer.

**NRS 289.080 Right to presence and assistance of representatives at interrogation or hearing relating to investigation; confidential information; disclosure; record of interrogation or hearing; right to review and copy investigation file upon appeal.**

1. Except as otherwise provided in subsection 3, a peace officer may upon request have two representatives of his choosing present with the peace officer during any phase of an interrogation or hearing relating to an investigation conducted pursuant to [NRS 289.057](#), including, without limitation, a lawyer, a representative of a labor union or another peace officer.

2. A representative of a peace officer must assist the peace officer during the interrogation or hearing. The law enforcement agency conducting the interrogation or hearing shall allow a representative of the peace officer to explain an answer provided by the peace officer or refute a negative implication which results from

questioning of the peace officer but may require such explanation to be provided after the agency has concluded its initial questioning of the peace officer.

3. A representative must not otherwise be connected to, or the subject of, the same investigation.

4. Any information that a representative obtains from the peace officer concerning the investigation is confidential and must not be disclosed except upon the:

(a) Request of the peace officer; or

(b) Lawful order of a court of competent jurisdiction.

Ê A law enforcement agency shall not take punitive action against a representative for his failure or refusal to disclose such information.

5. The peace officer, any representative of the peace officer or the law enforcement agency may make a stenographic, digital or magnetic record of the interrogation or hearing. If the agency records the proceedings, the agency shall at the peace officer's request and expense provide a copy of the:

(a) Stenographic transcript of the proceedings; or

(b) Recording on the digital or magnetic tape.

6. After the conclusion of the investigation, the peace officer who was the subject of the investigation or any representative of the peace officer may, if the peace officer appeals a recommendation to impose punitive action, review and copy the entire file concerning the internal investigation, including, without limitation, any recordings, notes, transcripts of interviews and documents contained in the file.

**NRS 289.085 Inadmissibility of evidence obtained unlawfully during investigation.** If an arbitrator or court determines that evidence was obtained during an investigation of a peace officer concerning conduct that could result in punitive action in a manner which violates any provision of [NRS 289.010](#) to [289.120](#), inclusive, and that such evidence may be prejudicial to the peace officer, such evidence is inadmissible and the arbitrator or court shall exclude such evidence during any administrative proceeding commenced or civil action filed against the peace officer.

**NRS 289.090 Investigation concerning alleged criminal activities.** The provisions of [NRS 289.057](#), [289.060](#), [289.070](#) and [289.080](#) do not apply to any investigation which concerns alleged criminal activities.

**NRS 289.100 Limitations on application of chapter.**

1. This chapter does not prohibit any agreements for cooperation between the law enforcement agency and agencies in other jurisdictions.

2. This chapter does not affect any procedures which have been adopted by the law enforcement agency if those procedures provide the same or greater rights than provided for in this chapter.

**NRS 289.110 Report concerning improper governmental action; investigation of report; reprisal by employer prohibited.**

1. A peace officer may disclose information regarding improper governmental action by filing a report with:

(a) The district attorney of the county in which the improper governmental action occurred; or

(b) The Attorney General if the district attorney referred to in paragraph (a) is involved in the improper governmental action.

2. Upon the filing of a report pursuant to subsection 1, the district attorney or Attorney General may investigate the report and determine whether improper governmental action did occur. Upon the completion of the investigation the district attorney or Attorney General:

(a) If he determines that improper governmental action did occur, may prosecute the violation. The Attorney General may prosecute such a violation if the district attorney fails or refuses so to act.

(b) Shall notify the peace officer who filed the report of the results of the investigation.

3. The employer of a peace officer shall not take any reprisal or retaliatory action against a peace officer who in good faith files a report pursuant to subsection 1.

4. Nothing in this section authorizes a person to disclose information if disclosure is otherwise prohibited by law.

5. This section does not apply to a peace officer who is employed by the State.

6. As used in this section, "improper governmental action" means any action taken by an officer or employee of a law enforcement agency, while in the performance of his official duties which is in violation of any state law or regulation.

**NRS 289.120 Judicial relief available for aggrieved peace officer.** Any peace officer aggrieved by an action of his employer in violation of this chapter may, after exhausting any applicable internal grievance procedures, grievance procedures negotiated pursuant to [chapter 288](#) of NRS and other administrative remedies, apply to the district court for judicial relief. If the court determines that the employer has violated a provision of this chapter, the court shall order appropriate injunctive or other extraordinary relief to prevent the further occurrence of the violation and the taking of any reprisal or retaliatory action by the employer against the peace officer.